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09400SB0458ham003

LRB094 09046 RLC 60345 a

1 AMENDMENT TO SENATE BILL 458

2 AMENDMENT NO. _____. Amend Senate Bill 458, AS AMENDED, in
3 the introductory clause of Section 5, by replacing "Sections
4 1-19 and 1-20" with "Section 1-19"; and

5 by replacing all of Sec. 1-19 of Section 5 with the following:

6 "(705 ILCS 405/1-19 new)

7 Sec. 1-19. Applicability.

8 (1) Except as provided in Sections 5-125, 5-130, 5-805, and
9 5-810 of this Act, any minor 17 years of age who is charged
10 with a misdemeanor or a petty or business offense on or after
11 the effective date of this amendatory Act of the 94th General
12 Assembly is subject to this Act.

13 (2) Except as provided in Sections 5-125, 5-130, 5-805, and
14 5-810 of this Act, any minor 17 years of age who is charged
15 with a Class 4 or Class 3 felony on or after July 1, 2008 is
16 subject to this Act.

17 (3) Except as provided in Sections 5-125, 5-130, 5-805, and
18 5-810 of this Act, any minor 17 years of age who is charged
19 with a Class 2 or Class 1 felony or Class X felony on or after
20 July 1, 2009 is subject to this Act."; and

21 by deleting all of Sec. 1-20 of Section 5; and

22 in Sec. 5-120 of Section 5, by replacing all of subsections (2)

1 and (3) with the following:

2 "(2) Except as provided in Sections 5-125, 5-130, 5-805,
3 and 5-810 of this Article, no minor who was under 17 years of
4 age at the time of the alleged offense may be prosecuted under
5 the criminal laws of this State, and minors who are 17 years of
6 age shall be gradually brought under the protections of this
7 Act according to the following:

8 (a) Except as provided in Sections 5-125, 5-130, 5-805,
9 and 5-810 of this Article, as of the effective date of this
10 Amendatory Act of the 94th General Assembly, proceedings
11 may be instituted under the provisions of this Act
12 concerning any minor 17 years of age charged with a
13 misdemeanor or a petty or business offense, and

14 (b) Except as provided in Sections 5-125, 5-130, 5-805,
15 and 5-810 of this Article, as of July 1, 2008, proceedings
16 may be instituted under the provisions of this Act
17 concerning any minor 17 years of age charged with a Class 4
18 or Class 3 felony, and

19 (c) Except as provided in Sections 5-125, 5-130, 5-805,
20 and 5-810 of this Article, as of July 1, 2009, proceedings
21 may be instituted under the provisions of this Act
22 concerning any minor 17 years of age charged with a Class 2
23 or Class 1 felony, or Class X felony."